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09/971,763	10/09/2001	Moo-youl Kim	P56598	4212

7590

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EXAMINER

BROOKE, MICHAEL S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/971,763

Applicant(s)

KIM ET AL.

Examiner

Michael S. Brooke

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20, 23, 24 and 27-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 23, 24 and 27-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The corrected or substitute drawings were received on 07/09/03. These drawings are accepted.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4-16 and 18-20, 23, 24 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (5,841,452) in view of Koto (4,368,478).

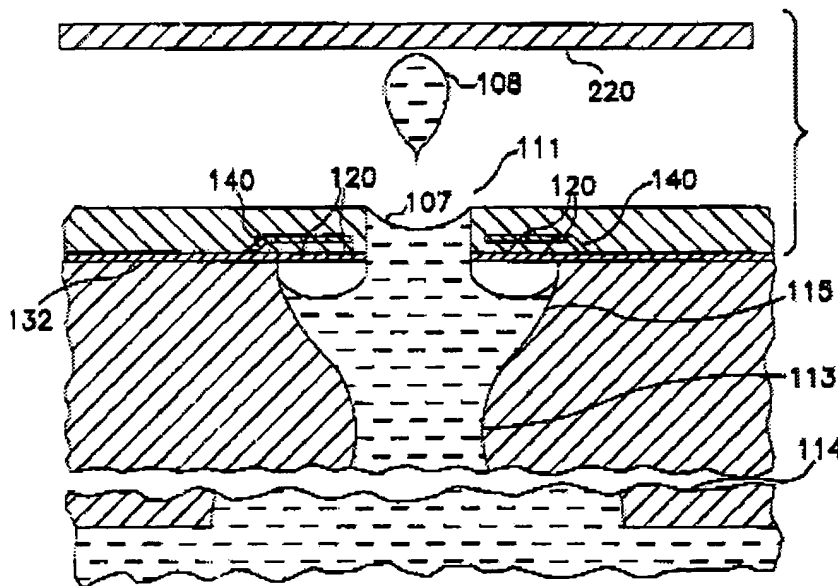


FIG. 17

Silverbrook teaches (Fig. 17, above) an ink jet print head comprising a base plate (130), which is perforated by an hour-glass shaped structure having a hemispherical shaped top portion that is filled with ink, a nozzle plate that is mounted on the base plate and is perforated by a plurality of orifices in communication with their respective chambers, a plurality of dough-nut shaped heaters (120) disposed on the underside of the nozzle plate and surrounding each nozzle and a plurality of circular ink inlet passages (113), which supply ink from a reservoir to the hemispherical hour-glass shaped chamber. As can be seen Fig. 18 (which is a reverse structure of Fig. 17), each hemispherical chamber is connected to a funnel shaped chamber (489). Since Fig. 18 is a reverse of Fig. 17, these funnel shaped chambers would be found beneath the hemispherical chambers of Fig. 17. Silverbrook further teaches that that the chamber is disposed between the ink inlet passages and the orifices, that the ink inlet is connected to respective ones of the chambers and that the ink inlet has a diameter that is much smaller than the diameter of the chambers. Since the diameter of the inlet is much smaller than the diameter of the chamber, the inlet would have a smaller volume of ink than the chamber.

Silverbrook teaches the claimed invention with the exception of the ink inlet passages each having a plurality of grooves formed at an inner wall, the plurality of grooves extending through the base plate, the plurality of grooves being formed over an entire portion of said inner wall and the plurality of grooves extending in a direction parallel to a direction through said substrate and the grooves being formed around the entire circumference of the ink passages.

Koto teaches (Fig. 9A) an ink jet printer having an air trapping chamber (55) that is formed along the ink flow path. The chamber has a plurality of serrations formed in the inner surface (55a) which allow ink to flow, even if the path is blocked by an air bubble. Thus the serration functions to reduce the resistance that the bubble provides to the flow of ink (col. 9:27-53). While Koto does not specifically teach providing the grooves a plurality of ink passages in the substrate, one of ordinary skill in the ink jet art would recognize that Koto provides the general teaching of providing grooves in the ink flow path, in order to improve ink flow, by allowing the ink to flow past an obstruction, such as a bubble. Since both Koto and Silverbrook deal with supplying ink through a flow passage, the teachings of Koto would be applicable to Silverbrook.

It would have been obvious to one of ordinary skill in the ink jet art at the time the invention was made to have provided Silverbrook with an ink inlet passage having a plurality of grooves formed in its walls, such that the grooves cover an entire portion of the wall, in a direction parallel to the ink flow direction (which is through the substrate), for the purpose of improving the flow of ink by allowing the ink to flow past an obstruction, as taught by Koto.

4. Claims 1-3, 5, 7, 12-13, 15, 17, 18 and 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,102,530) in view of Browning et al. (6,132,033) and Koto (4,368,478)

Kim et al. teaches an ink jet print head comprising a substrate (38) that is provided with a plurality of chambers (14). A nozzle plate, having orifices (18) is provided on the substrate. A plurality of heaters (20, 22) are provided on the nozzle

plate. An ink inlet passage (16) is provided through the substrate, to supply ink to the bottoms of the ink chambers.

With regard to claims 2 and 5, Fig. 1 illustrates that the inlet passages are formed through the base plate.

With regard to claims 3, 17 and 20, Fig. 2B illustrates that each of the heaters is formed on the outer side of the nozzle plate and heats the ink by conduction.

With regard to claim 7, Fig. 2B illustrates that the ink inlet passage extends through the substrate from the bottoms of the ink chambers.

With regard to claim 12, Fig. 12 illustrates that the ink chambers and inlet passage have a generally "hour glass" shaped configuration.

With regard to claim 13, Fig. 12 illustrates that the bottom of the hour glass is a funnel shape, and is connected to the ink chamber by the ink inlet.

With regard to claims 15 and 18, Fig. 1 illustrates that the heaters have a "donut" shape and encircle the orifices.

Kim et al. teaches the claimed invention with the exception of a plurality of circular ink inlet passages, ink inlet passages each having a plurality of grooves formed at an inner wall, the plurality of grooves extending through the base plate, the plurality of grooves being formed over an entire portion of said inner wall and the plurality of grooves extending in a direction parallel to a direction through said substrate and the grooves being formed around the entire circumference of the ink passages.

Browning et al. teaches that a single, large ink inlet passage and a plurality of smaller, circular ink inlet passages are known equivalents in the ink jet art for supplying

ink to a plurality of ink chambers (col. 3:17-21). Because these two different ink inlet structures were art recognized equivalents at the time the invention was made, one of ordinary skill in the ink jet art would have found it obvious to have substituted a plurality of circular ink passages for the single large ink passage of Kim et al., for the purpose of providing ink to the ink chambers.

Koto teaches (Fig. 9A) an ink jet printer having an air trapping chamber (55) that is formed along the ink flow path. The chamber has a plurality of serrations formed in the inner surface (55a). The serrations improve the capillary action of the ink supply passage by reducing the flow resistance (col. 9:27-53). While Koto does not specifically teach providing the grooves a plurality of ink passages in the substrate, one of ordinary skill in the ink jet art would recognize that Koto provides the general teaching of providing grooves in the ink flow path, in order to improve ink flow. Since both Koto and Kim et al. deal with supplying ink through a flow passage, the teachings of Koto would be applicable to Kim et al..

It would have been obvious to one of ordinary skill in the ink jet art at the time the invention was made to have provided Kim et al. with an ink inlet passage having a plurality of grooves formed in its walls, such that the grooves cover an entire portion of the wall, in a direction parallel to the ink flow direction (which is through the substrate), for the purpose of improving the flow of ink by reducing the flow resistance, as taught by Koto.

5. Claims 4, 6, 8, 9, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,102,530) in view of Browning et al. (6,132,033) and

Koto (4,368,478), as applied to claims 1-3, 5, 7, 12-13, 15, 17, 18 and 20-30 above, and further in view of Silverbrook 5,841,452)

Kim et al., as modified, teaches the claimed invention with the exception of the ink chambers having a hemispherical shape.

Silverbrook teaches that an ink jet print head having a hemispherical ink chamber (Fig. 18) and a print head having a polygonal ink chamber (Fig. 19) are known equivalents in the ink jet art for the purpose of ejecting ink. Since these two different ink chambers structures were art recognized equivalents at the time the invention was made, one of ordinary skill in the ink jet art would have found it obvious to have substituted a hemispherical ink chamber, for the polygonal ink chamber of Kim et al.

### ***Response to Arguments***

6. Applicant's arguments filed 07/09/03 have been fully considered but they are not persuasive.

Applicant's argument that Koto does not teach providing the serrations to reduce flow resistance and improve fluid flow, is not persuasive. In Koto the serrations are provided to allow ink to flow around an obstruction in the flow path, such as an air bubble. Since the serrations allow the ink to flow, they reduce flow resistance and improve fluid flow to the head.

In response to applicant's argument that the claimed grooves are provided for the purpose of increasing refill speed, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art



cannot be the basis for patentability when the differences would otherwise be obvious.

See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

In response to applicant's argument that one of ordinary skill in the ink jet would not combine Koto with the remaining references, because the size disparity in sizes of the printheads of Silverbrook, Kim, et al. Brown et al. and Koto, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, Koto teaches providing grooves in order to prevent the ink flow path from becoming blocked. This teaching is equally as relevant to Silverbrook, Kim et al. and Brown et al., as it is to Koto. The Applicant asserts that the technique of Koto, i.e., providing serration to prevent the blockage of the flow path, would not work in Silverbrook, Kim et al. and Brown et al., due to the difference in size. However, the Applicant does not provide any support for this position. The Examiner invites the Applicant to provide evidence showing that the serrations of Koto would not function in Silverbrook, Kim et al. and Brown et al..

Applicant's argument that Koto does not teach having an ink chamber between the air trapping chamber and the nozzle, is not persuasive, as, Koto does indeed teach an ink chamber formed between the nozzle and the ink inlet (see Fig. 3).

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. Brooke whose telephone number is 703-305-0262. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on 703 308-4896. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3431 for After Final communications.

Art Unit: 2853

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.



Michael S. Brooke  
Examiner  
Art Unit 2853

MSB  
July 22, 2003



Stephen D. Meier  
Primary Examiner